

**CHARTER REVIEW COMMISSION
MEETING**

Thursday, October 20, 2005

8:00 a.m.

**6th Floor Front Conference Room
Council Office Building**

Minutes

Commission Members Present:

Kenneth Muir, Chair
Barbara Smith Hawk, Vice Chair
Julie Davis
Mollie Habermeier
Michael McKeehan
Robert Reeder
Randy Scritchfield
Robert Skelton
Shelton Skolnick
Sally Sternbach

Commission Members Absent:

Cheryl Kagan

Staff:

Sonya Healy, Legislative Analyst
Justina Ferber, Legislative Analyst
Carol Edwards, Legislative Services
Coordinator
Michael Faden, Senior Legislative Attorney
Kathleen Boucher, Senior Legislative Attorney

Guests:

Dale Tibbitts, Montgomery County Civic
Federation

Chairman Muir opened the meeting at 8:10 a.m.

I. Meeting with Councilmember Praisner

Councilmember Praisner commented that the workload of the Council has increased dramatically making it more difficult for Councilmembers to have outside employment. She noted that it is difficult to attract a large number of people to run for the Council because of competing work and family responsibilities. There are instances where Councilmembers have outside employment (i.e. law practice, consulting, teaching), but this can be a difficult balancing act. If outside employment is allowed, she believes that a stronger ethics disclosure should be required and would recommend limiting the types of jobs a person can have.

Mix of the Council: Ms. Praisner believes that a mix of at-large and district positions are needed and does not agree that district representatives are parochial. She would like to eliminate the impact of campaign cost because at-large Councilmembers can become beholden to their contributors. The high costs of running a campaign, allows for greater influence by the development community.

Councilmember Praisner stated that the issue of campaign finance reform is not part of the Charter Review Commission's area of responsibility, but would like the Commission to consider the idea of local government having more jurisdiction over local races.

Ms. Praisner also suggested that there is a need to groom more people to be qualified candidates for public office. She proposed the idea of having regional service center boards serve as an incubator for future Council candidates. This would give individuals experience in dealing with community issues and could help to increase participation. Ms. Praisner noted that this proposal is just a preliminary idea, and she would be working through this issue.

Size of the Council: Councilmember Praisner commented that a larger Council would not necessarily be more effective. She noted that the issue is one of an individual's personality and accountability, not the size of the legislative body. She would not recommend more than a total of 11 Councilmembers. She also noted that a mix of district and at-large candidates should be maintained. She stated that if the Council were expanded to 11 members, she would favor 6 district and 5 at-large representatives.

II. Meeting with Councilmember Silverman

Structure of the Council: Councilmember Silverman discussed his proposal to enlarge the Council to 13 members with 7 district and 6 at-large representatives. He believes that this structure would provide more opportunity for new faces and help to increase access for minority candidates. He stated that having 7 district and 6 at-large representatives would maintain the current balance of county-wide and community representation. He believes that this mix of representation is critical even if fewer Councilmembers are added to the Council. He noted that voters in the County want to hold the majority of the Council accountable for their decisions.

Full-time vs. Part-time Compensation: Councilmember Silverman stated that if the Commission recommends making the Council full-time with adequate compensation, then there should be restrictions on outside employment. He stressed that there is a link between full-time compensation and deciding if it is possible to run for office. He recommends that the County should try to get the State to grant authority to local government to monitor campaign contributions.

Councilmember Silverman was asked to comment on the issue of whether or not increasing the size of the Council would fragment or weaken the power of the Council in relationship to the County Executive. He believes that the balance of power is completely a function of who is serving as County Executive. He suggested that the Council could appoint a permanent Chairperson to speak on behalf on the legislative body to help generate a greater balance throughout a legislative term.

III. Discussion of Issues and Subcommittee Assignments

A. Review Op-Ed pieces

Commission Chair, Ken Muir, stated that he had reworked the Op-Ed piece and has sent it to the Gazette and the Washington Post.

B. Full-time versus Part-time Compensation for Councilmembers

Commissioner Skolnick stated that the subcommittee had met before the Commission's regular meeting and reported the following on the full-time issue. The group used a pro versus con format.

Full-time (with no outside employment)

Pro: Fairly compensate for full-time work

Con: Substantially increase budget cost for the County Council

Pro: Allows more time for activities of the Council

Con: Could result in micro-management of issues

Pro: Permit more candidates who could not afford part-time salary to serve

Con: Limit candidates who want to pursue outside employment

Pro: Should increase attendance

Con: Contrary to practice in most large jurisdictions

Pro: Should increase time for constituent services

Con: Increase size of Council and add more districts and more staff

Pro: Should decrease conflicts of interest

Con: If there are conflicts of interest recusal is already an option

E. Number of Signatures Required to Petition a Charter Amendment

Commissioner Barbara Smith Hawk, reported that Delegate Charles Barkley, Montgomery County Delegation, will reintroduce a local bill to reduce the number of signatures required to petition a Charter Amendment.

IV. Administrative Items

Future Meeting Dates:

October 24 – 7:30 p.m.-Public Forum

November 17 – 8:00 a.m. - Councilmembers Floreen and Andrews are scheduled to attend

December 15 – 8:00 a.m. - Discuss Structure of the Council

January 19 – 8:00 a.m.

February 16 – 8:00 a.m.

Action: Committee Chair asked Commissioners to email any ideas/comments on discussion topics prior to the December meeting.

Action: Circulate subcommittee papers before the January meeting.

A motion was made to approve the September 15 minutes. The motion was seconded and the minutes were approved with minor corrections.

The next meeting is scheduled for November 17.

Meeting adjourned at 9:30 a.m.